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10/527,963	03/15/2005	Vladimir Ceperkovic	66391.000002	7465
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YEH, EUENG NAN				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/527,963

Applicant(s)

CEPERKOVIC ET AL.

Examiner

EUENG-NAN YEH

Art Unit

2624

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-452 is/are pending in the application.
- 4a) Of the above claim(s) 2, 57, 114, 169, 226, 281, 337, 448, 451 and 452 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) See Continuation Sheet is/are rejected.
- 7) ☒ Claim(s) See Continuation Sheet is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continuation of Disposition of Claims: Claims rejected are 1,3-13,31-34,40,41,56,58-68,86-89,95,96,113,115-125,143-146,152,153,168,170-180,198-201,207,208,225,227-237,255-258,264,265,280,282-292,310-313,319,320,449 and 450.
Continuation of Disposition of Claims: Claims objected to are 14-30,35-39,42-55,69-85,90-94,97-112,126-142,147-151,154-167,181-197,202-206,209-224,238-254,259-263,266-279,293-309,314-318 and 321-336.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. The following Office Action is responsive to the amendment and remarks received on March 4, 2010. Claims 2, 57, 114, 169, 226, 281, 337-448, 451, and 452 were cancelled and claims 1, 3-56, 58-113, 115-168, 170-225, 227-280, 282-336, 449, and 450 remain pending.

Drawings

2. The drawings are objected to because of following minor informalities:

Figures 1-8 and 38-40 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). In this case, figures 1-8 and 38-40 as stated in the section of brief description of drawings indicates that they are state-of-the-art diagrams and should be properly designated by legend such as --Prior Art--.

Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 101

Art Unit: 2624

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The USPTO "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility" (Official Gazette notice of 22 November 2005), Annex IV, reads as follows:

In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. See Lowry, 32 F.3d at 1583-84, 32 USPQ2d at 1035.

Claims that recite nothing but the physical characteristics of a form of energy, such as a frequency, voltage, or the strength of a magnetic field, define energy or magnetism, *per se*, and as such are nonstatutory natural phenomena. O'Reilly, 56 U.S. (15 How.) at 112-14. Moreover, it does not appear that a claim reciting a signal encoded with functional descriptive material falls within any of the categories of patentable subject matter set forth in Sec. 101.

... a signal does not fall within one of the four statutory classes of Sec. 101.

... signal claims are ineligible for patent protection because they do not fall within any of the four statutory classes of Sec. 101.

Claims 449 and 450 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as follows. Claims 449 and 450 are drawn to functional descriptive material recorded on a storage medium readable by computer processor. However, the broadest reasonable interpretation of a claim drawn to a computer readable storage medium (also called machine readable medium and other such variations) typically covers forms of non-transitory tangible media and transitory propagating signals *per se* in view of the ordinary and customary meaning of computer readable media. When the broadest reasonable interpretation of claim covers a signal *per se*, the claim must be rejected under 35 U.S.C. § 101 as covering non-statutory subject matter. See *In re Nuijten*, 500 F.3d 1346, 1356-57 (Fed. Cir,

2007) (transitory embodiments are not directed to statutory subject matter) and Interim Examination Instructions for Evaluating Subject Matter Eligibility Under 35 U.S.C. § 101, August 24, 2009; P. 2.

Because the full scope of the claim as properly read in light of the disclosure encompasses non-statutory subject matter, the claim as a whole is non-statutory. The examiner suggests amending the claim of stated storage medium as "non-transitory computer-readable storage medium" to include the disclosed non-transitory tangible computer readable media, while at the same time excluding the intangible media such as signals, carrier waves, etc.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-13, 31-34, 56, 58-68, 86-89, 113, 115-125, 143-146, 168, 170-180, 198-201, 225, 227-237, 255-258, 280, 282-292, 310-313, 449, and 450 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Boliek et al. (US 6,141,446) and Hang (US 5,038,209).

Regarding claims 1 (apparatus), 113 (method), and 225 (article), Boliek discloses a codec system ("This apparatus may be specially constructed for the required purposes, or it

may comprise a general purpose computer selectively activated or reconfigured by a computer program stored in the computer. Such a computer program may be stored in a computer readable storage medium, such as, but is not limited to, any type of disk including floppy disks ... or any type of media suitable for storing electronic instructions, and each coupled to a computer system bus. The algorithms and displays presented herein are not inherently related to any particular computer or other apparatus. Various general purpose machines may be used with programs in accordance with the teachings herein ... In addition, the present invention is not described with reference to any particular programming language. It will be appreciated that a variety of programming languages may be used to implement the teachings of the invention as described herein" at column 5, line 12. Furthermore, "it is appreciated that throughout the present invention, discussions utilizing terms such as "processing" or "computing" or "calculating" or "determining" or "displaying" or the like, refer to the action and processes of a computer system, or similar electronic computing device, that manipulates and transforms data represented as physical (electronic) quantities within the computer system's registers and memories into other data similarly represented as physical quantities within the computer system memories or registers or other such information storage, transmission or display devices" at column 4, line 66) comprising:

- at least one single-level direct subband transformer, for receiving and transforming input data to produce transformation coefficients ("The present invention provides a compression/decompression system having an encoding portion and a decoding portion. The encoding portion is responsible for encoding input data to create compressed data, while the decoding portion is responsible for decoding previously encoded data to produce a

reconstructed version of the original input data" at column 9, line 2. As depicted in Boliek figure 2, "FIG. 2 is a block diagram of one embodiment of a compression system of the present invention that employs the binary style. Note the decoding portion of the system operates in reverse order, along with the data flow. Referring to FIG. 2, an input image 201 into a multi-component handling mechanism 211. The multi-component handling mechanism 211 provides optional color space conversion and optional handling of subsampled image components" at column 9, line 40. As depicted in Boliek figure 2, numeral 202, "In the wavelet style, the reversible wavelets block 202 performs a reversible wavelet transform. The output of block 202 is a series of coefficients" at column 9, line 58. In a summary, "The image data 201 is received and (after optimal multicomponent handling) transformed using reversible wavelets in wavelet transform block 202 ... to produce a series of coefficients representing a multi-resolution decomposition of the image" at column 9, line 65);

- at least one processing means selected from a group consisting of: pass-through means for (as depicted in Boliek figure 2, arrows as pass-through means are connected between blocks) lossless processing ("The present invention provides a lossless compression/decompression system. The present invention may also be configured to perform lossy compression/decompression" at column 9, line 17) and quantizer means for lossy processing (figure 2, numeral 203), coupled to at least one of said at least one single-level direct subband transformer, for receiving and processing the transformation coefficients to produce processed transformation coefficients (as depicted in figure 2, numerals 203 and 205 receive and process coefficients from 202 to produce processed coefficients);

- at least one encoding probability estimator coupled to at least one of said at least one processing means, for receiving the processed transformation coefficients and estimating probabilities of symbols within contexts of transformation coefficients to produce the probabilities of symbols within the contexts of transformation coefficients (as depicted in Boliek figure 2, numeral 205 context modeling is the probability estimator which receives the transformed coefficients from 202 and 203, wherein the context modeling, "[c]ausally available information relative to the current bit to be coded that gives historically- learned information about the current bit, enabling conditional probability estimation for entropy coding" at column 6. Under context model, and the probability estimation is "part of a coding system which tracks the probability within a context" at column 7 under Probability Estimation. "... The embedded data stream is received by the context model 205, which models data in the embedded data stream based on their significance ... The results of ordering and modeling comprise decisions (or symbols) to be coded by the entropy coder 206 ..." at column 10, line 17);

- at least one entropy encoder coupled to at least one of said at least one encoding probability estimator, for receiving and entropy encoding the processed transformation coefficients using the probabilities of symbols within the contexts of transformation coefficients to produce encoded data (as depicted in Boliek figure 2, numeral 206 is the entropy encoder, "A device that encodes or decodes a current bit based on a probability estimation. An entropy coder may also be referred to herein as a multi-context binary entropy coder. The context of the current bit is some chosen configuration of "nearby" bits and allows probability estimation for the best representation of the current bit (or multiple bits). In one embodiment, an entropy coder may include a binary coder, a parallel run-length coder or a Huffman coder" at column 6,

under entropy coder, and, "Note that the present invention may be used with any binary entropy coder, such as the Q-coder, QM-coder or a high speed parallel coder" at column 11, line 8. See also "...The results of ordering and modeling comprise decisions (or symbols) to be coded by the entropy coder 206 ..." at column 10, line 24);

Boliek discussed the delay "In fact, there is a maximum delay between encoding and the production of a compressed output bit" at column 30, line 31. Boliek does not explicitly disclose the data buffer to synchronize data.

Hang, in the field of endeavor of video image processing ("adjusting quantization step size so as to regulate the degree of buffer fullness in a video coder" at column 1, line 8), teaches the important and well-know synchronization, "The operations of quantizer 104 (*figure 1*), entropy coder 106, and output buffer 108 are synchronized in time and are well-known" at column 3, line 16.

It would have been obvious at the time the invention was made, that one of ordinary skill in the art would have been motivated to modify and include the codec system Boliek made with the application of synchronization buffer as taught by Hang, because this is one well-known way to regulate the data flow as discussed above by Hang.

Regarding claims 56 (apparatus), 168 (method), and 280 (article) of the decoding system (As the decoding system goes through the substantially same processes as the coding system does and "the decoding portion of the system operates in reverse order, along with the data flow. Referring to FIG. 2" at Boliek column 9, line 42. Please reference to the corresponding encoding process for the discussions).

Regarding claims 3, 115, and 227: - at least one single-level direct subband transformer, for receiving and transforming input data to produce transformation coefficients (discussed in claims 1, 113, and 225);

- at least one processing means selected from a group consisting of: pass-through means for lossless processing and quantizer means for lossy processing, coupled to at least one of said at least one single-level direct subband transformer, for receiving and processing the transformation coefficients to produce processed transformation coefficients (discussed in claims 1, 113, and 225);

- at least one encoding probability estimator coupled to at least one of said at least one processing means, for receiving the processed transformation coefficients and estimating probabilities of symbols within contexts of transformation coefficients to produce the probabilities of symbols within the contexts of transformation coefficients (discussed in claims 1, 113, and 225);

- at least one entropy encoder coupled to at least one of said at least one encoding probability estimator, for receiving and entropy encoding the processed transformation coefficients using the probabilities of symbols within the contexts of transformation coefficients to produce encoded data (discussed in claims 1, 113, and 225);

- at least one synchronization memory coupled to at least one of said at least one entropy encoder, for receiving and substantially synchronizing the encoded data with said fast encoder to produce synchronized compressed data (as discussed in claims 1, 113, and 225, the output buffer of Hang figure 1, numeral 108 is the synchronization memory);

- said output compressed buffer is coupled to said at least one synchronization memory, for receiving and buffering synchronized compressed data to produce the output compressed data (as discussed in claims 1, 113, and 225, the output buffer of Hang figure 1, numeral 108 is the output compressed buffer).

Regarding decoding claims 58, 170, and 282 (refer to the discussions in claims 3, 115, and 227. See also the discussion in claims 56, 168, and 280).

Regarding claims 4, 116, and 228, at least one color space converter for converting an original input image to produce the input data (as depicted in Boliek figure 2, numeral 211, "The multi-component handling mechanism 211 provides optional color space conversion" at column 9, line 45).

Regarding decoding claims 59, 171, and 283 (refer to the discussions in claims 4, 116, and 228. See also the discussion in claims 56, 168, and 280).

Regarding claims 5 117, and 229: - a first of said at least one single-level direct subband transformer is coupled to receive and transform the input data to produce transformation coefficients (as depicted in Boliek figure 1 for the input image data with wavelet processing for the transformation coefficients, "The first level of decomposition leads to four different bands of coefficients, referred to herein as SS, DS, SD, and DD. The letters refer to the smooth (S) and detail (D) filters defined above, which correspond to low (L) and high (H) pass filters

respectively. Hence, the SS band consist of coefficients from the smooth filter in both row and column directions" at Boliek column 16, line 48);

- each other of said at least one single-level direct subband transformer is coupled to receive and transform selected transformation coefficients to produce transformed transformation coefficients ("Each frequency subband in a wavelet decomposition can be further decomposed. The most common practice is to only decompose the SS frequency subband further, and may include further decomposing of the SS frequency subband in each decomposition level as each is generated" at Boliek column 16, line 55).

Regarding decoding claims 60, 172, and 284 (refer to the discussions in claims 5 117, and 229. See also the discussion in claims 56, 168, and 280).

Regarding claims 6, 118, and 230, selected transformation coefficients are low-pass transformed for one-dimensional input data ("The input may include image, audio, one-dimensional (e.g., data changing spatially or temporally), two-dimensional (e.g., data changing in two spatial directions (or one spatial and one temporal dimension)), or multi-dimensional/multi-spectral data" at Boliek column 1, line 43).

Regarding decoding claims 61, 173, and 285 (refer to the discussions in claims 6, 118, and 230. See also the discussion in claims 56, 168, and 280).

Regarding claims 7, 119, and 231, selected transformation coefficients are low-pass transformed both horizontally and vertically for two-dimensional input data ("The input may include image, audio, one-dimensional (e.g., data changing spatially or temporally), two-dimensional (e.g., data changing in two spatial directions (or one spatial and one temporal dimension)), or multi-dimensional/multi-spectral data" at Boliek column 1, line 43. "The most common way to perform the transform on two-dimensional data, such as an image, is to apply the one-dimensional filters separately, i.e., along the rows and then along the columns. The first level of decomposition leads to four different bands of coefficients, referred to herein as SS, DS, SD, and DD. The letters refer to the smooth (S) and detail (D) filters defined above, which correspond to low (L) and high (H) pass filters respectively. Hence, the SS band consist of coefficients from the smooth filter in both row and column directions" at column Boliek 16, line 45. Furthermore, "In the present invention, each tree comprises the SS coefficients and three subtrees, namely the DS, SD and DD subtrees ... The root of each tree is a purely smooth coefficient" at Boliek column 17, line 65).

Regarding decoding claims 62, 174, and 286 (refer to the discussions in claims 7, 119, and 231. See also the discussion in claims 56, 168, and 280).

Regarding claims 8, 120, and 232: said at least one single-level direct subband transformer comprises: at least one direct filter for horizontal filtering; and at least one direct filter for vertical filtering ("The most common way to perform the transform on two-dimensional data, such as an image, is to apply the one-dimensional filters separately, i.e., along the rows

and then along the columns. The first level of decomposition leads to four different bands of coefficients, referred to herein as SS, DS, SD, and DD. The letters refer to the smooth (S) and detail (D) filters defined above, which correspond to low (L) and high (H) pass filters respectively. Hence, the SS band consist of coefficients from the smooth filter in both row and column directions" at column Boliek 16, line 45, wherein the row means horizontal direction and column means vertical direction).

Regarding decoding claims 63, 175, and 287 (refer to the discussions in claims 8, 120, and 232. See also the discussion in claims 56, 168, and 280).

Regarding claims 9, 121, and 233: said at least one direct filter for horizontal filtering is different from said at least one direct filter for vertical filtering ("The reversible wavelet transform of the present invention may be implemented using a set of filters. In one embodiment, the filters are a Two-tap low-pass filter and a Six-tap high-pass filter to implement a transform referred to herein as the TS transform, or 2,6 transform. In another embodiment, the filters are a Two-tap low-pass filter and a Ten-tap high-pass filter to implement a transform referred to herein as the TT transform, or 2,10 transform" at Boliek column 16, line 29).

Regarding decoding claims 64, 176, and 288 (refer to the discussions in 9, 121, and 233. See also the discussion in claims 56, 168, and 280).

Regarding claims 10, 122, and 234: comprises at least one direct non-stationary filter ("One way of implementing this is to use the 5-tap low pass filter ... on five sample windows with no edge" at Boliek column 40, line 22. Furthermore, "If there is an edge in the center of the five sample window, the sample is used unchanged (no filtering). When there is one or more edges in other positions in the window, only the samples and taps in the center of the window not including or outside of the edge(s) are used and the filter's divisor is the sum of the taps used" at Boliek column 40, line 26. Without departing from Boliek's methodology, the said adaptive filtering with changing taps and values teaches the concept of non-stationary filter or serially coupled non-stationary filter according to the application).

Regarding decoding claims 65, 177, and 289 (refer to the discussions in claims 10, 122, and 234. See also the discussion in claims 56, 168, and 280).

Regarding claims 11, 123, and 235, said at least one single-level direct subband transformer comprises at least one direct filter for filtering (the one direct filter has been discussed in claims 8, 120, and 232).

Regarding claims 66, 178, and 290 (refer to the discussion in claims 11, 123, and 235. See also the discussion in claims 56, 168, and 280).

Regarding claims 12, 124, and 236, said at least one direct filter comprises at least one direct non-stationary filter (the one direct non-stationary filter has been discussed in claims 10, 122, and 234).

Regarding claims 67, 179, and 291 (refer to the discussion in claims 12, 124, and 236. See also the discussion in claims 56, 168, and 280).

Regarding claims 13, 125, and 237, said at least one direct non-stationary filter comprises a plurality of serially coupled direct non-stationary filter cells (the concept of serially coupled direct non-stationary filter cells has been discussed in claims 10, 122, and 234).

Regarding claims 68, 180, and 292 (refer to the discussion in claims 13, 125, and 237. See also the discussion in claims 56, 168, and 280).

Regarding claims 31, 143, and 255, said at least one encoding probability estimator comprises at least one adaptive histogram updating means, for updating an adaptive histogram ("A binary arithmetic coder where additions have been substituted for multiplications and probabilities limited to discrete values and probability estimates are updated when bits are output" at Boliek column 7, under Q-Coder. Thus, probabilities, i.e. the frequency distribution of the histogram, is updated for each input data which is an adaptive, i.e. wavelet transformed, data).

Regarding decoding claims 86, 198, and 310 (refer to the discussions in claims 31, 143, and 255. See also the discussion in claims 56, 168, and 280).

Regarding claims 32, 144, and 256, a low-pass filter for filtering probabilities selected from a group consisting of: probabilities of occurrences of a current symbol x ; and cumulative probabilities of occurrences of all symbols preceding the current symbol x ("The outcome in a binary decision with less Probable than 50% probability. When the two are equally probable, it is unimportant which is designated mps or lps as long as both the encoder and decoder make the same designation" at Boliek column 7, under LPS. Thus, Boliek teaches the concept to calculate probabilities of less probable symbol x , i.e. low-pass filter for cumulative probabilities preceding the current symbol x).

Regarding decoding claims 87, 199, and 311 (refer to the discussions in claims 32, 144, and 256. See also the discussion in claims 56, 168, and 280).

Regarding claims 33, 145, and 257, a dominant pole adapter for adapting a dominant pole of said low-pass filter ("The outcome of a binary decision with more than 50% probability" at Boliek column 7 under MPS, wherein the more than 50% probability is a dominant pole adapter which has dominant, more than 50%, probability).

Regarding decoding claims 88, 200, and 312 (refer to the discussions in claims 33, 145, and 257. See also the discussion in claims 56, 168, and 280).

Regarding claims 34, 146, and 258, dominant pole divider for halving a value of the dominant pole in each adaptation cycle (as discussed in claims 33, 145, and 257, the dominant pole divider can halving, 50%, of probability thus halving the dominant pole in each adaptation cycle).

Regarding decoding claims 89, 201, and 313 (refer to the discussions in claims 34, 146, and 258. See also the discussion in claims 56, 168, and 280).

Regarding claims 449 and 450 ("The present invention also relates to apparatus for performing the operations herein. This apparatus may be specially constructed for the required purposes, or it may comprise a general purpose computer selectively activated or reconfigured by a computer program stored in the computer. Such a computer program may be stored in a computer readable storage medium, such as, but is not limited to, any type of disk including floppy disks, optical disks, CD-ROMs, and magneto-optical disks, read-only memories (ROMs), random access memories (RAMs), EPROMs, EEPROMs, magnetic or optical cards, or any type of media suitable for storing electronic instructions, and each coupled to a computer system bus ... In addition, the present invention is not described with reference to any particular programming language. It will be appreciated that a variety of programming languages may be used to implement the teachings of the invention as described herein" at Boliek column 5, line 10).

6. Claims 40-41, 95-96, 152-153, 207-208, 264-265, and 319-320 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Boliek and Hang as applied to claims 1, 56, 113, 168, 225, and 280 discussed above, and further in view of Magenheimer et al. (IEEE Transactions on Computers, Vol. 37, No. 8, August 1988, 980-990).

Regarding claims 40, 152, and 264, the Boliek and Hang combination teaches an entropy codec system. The Boliek and Hang combination does not explicitly disclose the encoder range divider.

Magenheimer, in the field of endeavor of processing efficiency ("clever programming allows the Hewlett-Packard Precision Architecture integer multiplication and division implementation to provide adequate performance at little or no hardware cost" at page 980 abstract), teaches an efficient way of division "A well-known example is division by a power of 2. On a binary machine, this becomes a matter of shifting ... it is usually far faster to do an adjustment and then shift than to go through the general division algorithm for powers of 2. Under the Precision Architecture, division by small powers of 2 can be done in one instruction ..." at page 987, left column, first paragraph. Furthermore, "We are interested in the integer quotient of two numbers, x and y . It is assumed that y is a known constant and that x is a variable. For simplicity in the discussion that follows, assume that $x \geq 0$ and $y > 0$... So we want to compute the function $q(x)$ such that $q(x) = \text{Floor}(x/y)$. Our technique is to find an inexpensive way to multiply x by the reciprocal of y ... if x is in the range $ky \leq x < (k+1)y$ for some k , then we must have $k \leq q'(x) = (ax + b) / z < (k+1)$..." at page 987, left column, under section of Division Problem Description for more detail discussion about the division. Without

departing from the scope and spirit of Magenheimer's methodology, the variable x can be the range R and the known constant can be the number Total of occurrence of all symbols.

It would have been obvious at the time the invention was made, that one of ordinary skill in the art would have been motivated to include the codec system Boliek and Hang made with range divider as taught by Magenheimer in order to have a fast processing as stated above by Magenheimer.

Furthermore, applicant admitted prior art as shown in, "FIG. 39 is a flowchart of the state-of-the-art range encoder, which is together with the state-of-the-art range decoder called OLD CODER, as was disclosed in G. N. N. Martin. "Range encoding: and algorithm for removing redundancy from a digitised message," Proc. Video & Data Recording Conf., Southampton, UK, Jul. 24-27, 1979; M. Schindler "A fast renormalization for arithmetic coding," Poster at DDC, Data Compression Conf., Snowbird, Utah, Mar. 30-Apr. 1, 1998; and Internet location <http://www.compressconsult.com/rangecoder/>." at specification page 39, line 3. Thus the above stated three references also contain the claimed subject as depicted in figure 39, numeral 3911 for floor of R/Total .

Regarding decoding claims 95, 207, and 319 (refer to the discussions in claims 40, 152, and 264. See also the discussion in claims 56, 168, and 280).

Regarding claims 41, 153, and 265, first divider comprises a first right shifter for shifting right said range R for $w_3 = \log_2(\text{Total})$ bit positions ("... shifts are given with respect to this size. A shift of n is a multiplication by 2^n " at Boliek column 21, line 32. For example, the value of R is

64 then the binary representation of R is 1000000 ($= 2^6 = 64 = R$). If Total is 2 (i.e. 2^1) then the right shifting 1 bit of binary R becomes 100000 ($= 2^5 = 32 = R/2^1$). If Total is 4 (i.e. 2^2) then the right shifting 2 bits of binary R becomes 10000 ($= 2^4 = 16 = R/2^2$). And the left shifting is multiplication by 2^n).

Regarding decoding claims 96, 208, and 320 (refer to the discussions in claims 41, 153, and 265. See also the discussion in claims 56, 168, and 280).

Examiner's Comments

7. Claims 14-30, 35-39, 42-55, 69-85, 90-94, 97-112, 126-142, 147-151, 154-167, 181-197, 202-206, 209-224, 238-254, 259-263, 266-279, 293-309, 314-318, and 321-336, would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

A) Summary of Applicant's Remark:

The previous claims USC § 112 rejections should be withdrawn in view of the amendment.

Examiner's Response:

Examiner agrees, and the previous claims USC § 112 rejections are withdrawn.

B) Summary of Applicant's Remark:

"the claimed invention synchronizes already encoded (compressed) data in the output compressed buffer, thus requiring very little synchronization memory, while Boliek and Ogata synchronize (uncompressed) transformation coefficients, thus requiring huge synchronization memory" at Remarks page 136, line 13.

Examiner's Response:

Applicant's argument is moot in view of the new grounds of rejection advanced herein above. Specifically, the Hang (US 5,038,209) reference now teaches the concept of synchronization buffer among quantizer, encoder, and output. Please refer to the rejections above for further discussion.

C) Summary of Applicant's Remark:

"Applicants respectfully disagree that "the adaptive filtering teaches the concept of non-stationary filter or serially coupled non-stationary filter"" at Remarks page 152, line 11.

"A transfer function of a non-stationary filter according to the specification is not self-adjusted by any optimizing algorithm, nor there is any optimizing algorithm. Also, the input signal does not have any influence to a transfer function, which preferably results from a predetermined time-varying (non-stationary) structure of the non-adaptable filter with static filter coefficients, described in detail in the specification between page 18, line 4 and page 26, line 18" at Remarks page 153, line 9.

Examiner's Response:

"One use of the location of edges is for adaptive filtering that preserves edges while reducing ringing artifacts. One way of implementing this is to use the 5-tap low pass filter ... on

five sample windows with no edge. If there is an edge in the center of the five sample window, the sample is used unchanged (no filtering). When there is one or more edges in other positions in the window, only the samples and taps in the center of the window not including or outside of the edge(s) are used and the filter's divisor is the sum of the taps used ..." at Boliek column 40, line 22. Thus, the concept of non-stationary filter is disclosed by Boliek.

Furthermore, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., transfer function of a non-stationary filter) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

D) Summary of Applicant's Remark:

"Therefore, the specification teaches the frequency-domain concept of outputting low-pass filtered (smoothed) probability having value between 0 (0%) and 1 (100%), while according to the Examiner, Boliek teaches the time-domain concept of outputting probability of less probable symbol, having value less than 50%, which has nothing common with frequency-domain low-pass filtering concept in the specification" at Remarks page 155, line 5.

Examiner's Response:

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the frequency-domain concept) are not recited in the rejected claim(s). Although the claims are

interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

E) Summary of Applicant's Remark:

"These improvements result from the adaptive histogram updating means, providing a number Total of occurrences of all symbols to be the power of two ($Total=2^{w3}$), instead being an arbitrary integer in OLD CODER, as emphasized in the specification page 36, lines 14-16 and page 44, lines 13- 17, which prevented efficient utilization of OLD CODER in digital processing systems, due to requirements for division operations, shown in the specification page 46, TABLES 18 and 19" at Remarks page 160, line 18.

Examiner's Response:

The concept of R/Total not only suggested by Magenheimer but also disclosed in prior art figure 39, numeral 3911. The bit-shift is taught by Boliek. Please refer to the rejections above for further discussion.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EUENG-NAN YEY whose telephone number is (571)270-1586. The examiner can normally be reached on Monday-Friday 8AM-4:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vikkram Bali can be reached on 571-272-7415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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